

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL MULGREW, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, *et al.*,

Defendants.

Case No. 1:24-cv-01644-LJL

**DECLARATION OF ROBERTA A. KAPLAN IN SUPPORT OF DEFENDANTS THE
METROPOLITAN TRANSPORTATION AUTHORITY, THE NEW YORK CITY
DEPARTMENT OF TRANSPORTATION, AND THE TRIBOROUGH BRIDGE AND
TUNNEL AUTHORITY'S PARTIAL MOTION TO DISMISS THE AMENDED
COMPLAINT**

I, Roberta A. Kaplan, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a member of the bar of the State of New York and am admitted to appear before this Court. I am a partner in the law firm Kaplan Hecker & Fink LLP, counsel for Defendants the Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority in the above-captioned action.

2. I respectfully submit this declaration in support of Defendants' partial motion to dismiss the Amended Complaint.

3. Attached hereto as **Exhibit A** is a true and correct copy of an excerpt of the transcript from the status conference, held on February 12, 2024, before Judge Lewis J. Liman.

Dated: New York, New York
March 18, 2024

/s/ Roberta A. Kaplan
Roberta A. Kaplan